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BEFORE THE
ILLINOIS COMMERCE COMMISSION

AQUA ILLINOIS, INC.) DOCKET NO.
) 11-0250
)
Petition for Approval of Water)
Pollution Control Agreement for)
Wastewater Treatment Services with)
the Village of Monee, Will County,)
Illinois.)

Springfield, Illinois
Thursday, May 5, 2011

Met, pursuant to notice, at 10:00 a.m.

BEFORE:

MR. LARRY JONES, Administrative Law Judge

APPEARANCES:

MR. MARK LICHTENWALTER
Spesia & Ayers
1415 Black Road
Joliet, Illinois 60435
Ph. (815) 726-4311

(Appearing via teleconference on
behalf of Aqua Illinois, Inc.)

SULLIVAN REPORTING COMPANY, by
Carla J. Boehl, Reporter
CSR #084-002710

1 APPEARANCES: (Continued)

2

3 MR. JAMES V. OLIVERO
4 Office of General Counsel
5 Illinois Commerce Commission
6 527 East Capitol Avenue
7 Springfield, Illinois 62701
8 Ph. (217) 785-3808

9 (Appearing on behalf of Staff
10 witnesses of the Illinois
11 Commerce Commission)

12 MR. MICHAEL J. LANNON
13 Office of General Counsel
14 Illinois Commerce Commission
15 160 North LaSalle Street, Suite C-800
16 Chicago, Illinois 60601
17 Ph. (312) 814-4368

18 (Appearing via teleconference on
19 behalf of Staff witnesses of the
20 Illinois Commerce Commission)

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3	<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>
4	(None)				
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13		<u>EXHIBITS</u>			
14					
15				<u>MARKED</u>	<u>ADMITTED</u>
16	(None)				
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PROCEEDINGS

JUDGE JONES: Good morning. I call for hearing
Docket Number 11-0250. This is titled in part Aqua
Illinois, Inc., petition for approval of water
pollution control agreement for waste water treatment
services, Village of Monee, Will County, Illinois.

At this time we will take the
respective appearances orally for the record. In
entering your appearance please spell your last name
and give us your business address and phone number.
We will start with the appearance or appearances on
behalf of Aqua Illinois, Inc.

MR. LICHTENWALTER: Mark Lichtenwalter,
L-I-C-H-T-E-N-W-A-L-T-E-R, Spesia and Ayers, 1415
Black Road, Joliet, Illinois 60435.

JUDGE JONES: And what is your business phone
number, sir?

MR. LICHTENWALTER: Oh, my apologies.
(815) 726-4311.

JUDGE JONES: Thank you. And are you an
attorney licensed to practice law in the state of
Illinois?

1 MR. LICHTENWALTER: Correct.

2 JUDGE JONES: All right. Other appearances?

3 MR. OLIVERO: Your Honor, appearing on behalf
4 of the Staff witnesses of the Illinois Commerce
5 Commission, Mike Lannon and Jim Olivero. My business
6 address is 527 East Capitol Avenue, Springfield,
7 Illinois 62701, and my phone number is 217 area code
8 785-3808.

9 And, Mike, I apologize, I don't have
10 your number.

11 MR. LANNON: Your Honor, my business phone
12 number is (312) 814-4368.

13 JUDGE JONES: Thank you. Are there any other
14 appearances to be entered this morning?

15 (No response.)

16 Let the record show there are not.

17 Mr. Lichtenwalter, you have not filed
18 any sort of written entry of appearance at this
19 point, is that correct?

20 MR. LICHTENWALTER: That's correct. I am
21 sitting in for Mr. Spesia today, who I believe has.

22 MR. JONES: He has. And if you wish to become

1 part of the service list in this case and an attorney
2 of record for Aqua beyond today's purposes, then you
3 can file a written entry of appearance.

4 MR. LICHTENWALTER: Yes, sir.

5 JUDGE JONES: If you are just going to enter it
6 today and that's basically as far as you are going
7 with it, then you need not do so unless someone
8 instructs you to do so.

9 MR. LICHTENWALTER: Okay. Thank you.

10 JUDGE JONES: Do the parties have any
11 scheduling to propose at this time, Mr. Olivero?
12 Let's start with you.

13 MR. OLIVERO: Yes, Your Honor, we had spoken
14 with counsel for Aqua, and I believe the dates that
15 we were going to suggest to the Court was that Staff
16 would file a testimony or affidavit by May 19, 2011,
17 and then we would ask for a status
18 hearing/evidentiary hearing on the 23rd or 24th,
19 although the 24th is preferable with my schedule.

20 And I believe when I spoke with
21 Mr. Spesia, he said either of those dates and the
22 time, any time was fine. Mark, and if I am wrong on

1 that, please correct me.

2 MR. LICHTENWALTER: No, that's correct. Either
3 of those dates are fine and any time is fine. The
4 one addition that we had is that prior to that
5 hearing Aqua plans on sending in a Proposed Order, if
6 that's acceptable.

7 JUDGE JONES: Putting aside the Draft Order
8 element, are there any other comments or points of
9 clarification with regard to the proposed scheduling?

10 (No response.)

11 All right. Let the record show there
12 are not. On the 24th, which appears to be the date
13 of preference, there would be time available between
14 9:30 and 10:30 or at 2:00. Do you have a preference
15 there? Let's start with you, Mr. Olivero.

16 MR. OLIVERO: Well, actually I forgot my
17 calendar when I came down here, but I do know the
18 9:30 time was fine with me. I presume the 2:00
19 o'clock would be as well.

20 JUDGE JONES: Does 9:30 work for Aqua,
21 Mr. Lichtenwalter?

22 MR. LICHTENWALTER: Yes, sir.

1 JUDGE JONES: All right. Thank you. In terms
2 of a Draft Order, if the case is that the hearings
3 are concluded on the 24th, which is an unknown at
4 this time, then some scheduling can be done at that
5 time for a Draft Order process. If the parties want
6 to address that in the meantime and come up with
7 something ahead of that that's mutually agreeable,
8 that would be another option. But short of that we
9 will put some scheduling in place on the 24th if the
10 hearings are actually concluded at that time.

11 Any questions or comments about any of
12 the above?

13 MR. LICHTENWALTER: No, Your Honor. That's
14 essentially what we intended, is to speak with the
15 other party on the Draft Order, so.

16 JUDGE JONES: Fair enough. I think that may
17 cover the bases. Let me make sure. Do the parties
18 have anything else about scheduling or otherwise at
19 this time before we conclude things for today and
20 continue the matter to the date of May 24 as
21 discussed?

22 MR. OLIVERO: Not on behalf of Staff.

1 MR. LICHTENWALTER: Not for Aqua, Your Honor.

2 JUDGE JONES: At this time then let the record
3 show that today's hearing is concluded. In
4 accordance, I would note the above scheduling as
5 proposed by Mr. Olivero and concurred in by Aqua
6 Illinois is adopted. In accordance with that, this
7 matter is continued to a hearing date which may be a
8 status date or may become an evidentiary hearing
9 date, depending on the status of things, to be held
10 on May 24 at the hour of 9:30 a.m.

11 (Whereupon the hearing in this
12 matter was continued until May
13 24, 2011, at 9:30 a.m. in
14 Springfield, Illinois.)

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